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Aside from its value as a political document it is a convenient book of reference. His authorities have been carefully cited, and his cross-references are complete. The large amount of material is so well arranged that the reader may easily refer to political events in any part of the world for any period comprised within the scope of the book.

GEORGE FREDERICK ANDREWS.

Jahrbuch des Oeffentlichen Rechts. Band III, 1909. (Tübingen: Verlag von J. C. B. MOHR (Paul Siebeck), 1909. Pp. 646).

Two-thirds of the latest issue of the *Jahrbuch*, or more than four hundred pages, are devoted to contributions by various writers on divergent subjects falling within the general domain of public law. The leading position is given to an article by Prof. Julius Hatschek, formerly of Heidelberg and Posen, more recently of Friedenau, on conventional rules, or the Scientific Construction of Ideas in Public Law. In a laborious treatment of the subject, Professor Hatschek endeavors to trace (1) the foundation of what we term "conventions" in public law, (2) the forms which these rules assume, (3) their characteristic features and their relation to legal norms, and (4) the limits imposed upon the scientific shaping of ideas in public law.

In an interesting paper on the maintenance of the public schools (*Volkschulen*) and the school corporations (*Schulverbände*) in Prussia, Professor Loening traces the history of legal status of the public schools in Prussia from the eighteenth century down to the law of July 28, 1906, with its subsequent supplementary instructions, of February 25, July 2 and November 6, 1907, and of March 14, 1908, by which the unhappy situations and the injustices of the earlier legislation were removed. Professor Loening takes up the subject of the *Schulverbände*, which are corporations in public law, and discusses their organization. He then proceeds to discuss the erection and equipment of the public schools in general, the confessional and undenominational schools, the salaries of teachers, their retirement and the legal provision for the widows and orphans of instructors in the public schools. The paper closes with a section treating of the defraying of school expenses and another dealing with the administration of the school corporations and of the public schools.

Professor Bartholdy, of Würzburg, gives us, in the third contribution, a discussion of the reform of the upper house, or a study in the history and psychology of a political movement in the 20th century. As one would at once suspect, this is a study of the situation precipitated in England by the revolt of the house of commons against the power assumed recently by the house of lords. The writer would seem to favor the adoption of some such measure as that proposed by Lord Roseberry's select committee as a most happy solution of the difficulty between the two houses. He says: "Speaking seriously now, if on the one hand it should be claimed that descent from a good family in the best sense of that much abused word, from a family which for generations has lived on the heights of the national culture and has grown up with the country, is nevertheless no guarantee for the understanding or even remarkable intellectual endowment of the eldest son, so may it be claimed on the other hand, with equal right, that the unusual intellectual capacity of an individual, which he has shown in science and art, in politics and industry, in the service of the community or of a great corporation, is nevertheless no guarantee for the existence of that feeling of responsibility, which, for the law-giver, for him who has a share in the sovereignty of the country, is just as necessary as a broad intellectual grasp,—that feeling of responsibility which is produced and nourished equally well by the traditions of one's ancestors and by the care for the preservation and transmission of them to one's descendants. If we look at the problem of the upper house in this light, then the principle contained in the proposal of the committee, which would organically connect heredity with the service qualification, furnishes the happiest solution which one can think of."

An exhaustive paper by Professor Piloty, of Würzburg, follows, which deals with the law regulating the state service in Bavaria, as set forth in the recent "*Beamtengesetz*" of August 16, 1908, and other laws pertaining to the subject, to which is added an appendix dealing with the law touching the salary of members of the Bavarian *Landtag*, of January 30, 1908. This article begins with the history of the law, discusses the relations of officials to the service of the state, and closes with an exposition of the duties and the rights of the state's official servants.

Changes in the relations of state and church in recent times, owing to the assumption, by the state, of a purely temporal character, and to the separation of the church and state, form the theme of the fifth study in the *Jahrbuch*. The writer of the paper is Dr. Rothenbücher, a *Privatdozent* in the University of Munich. Dr. Rothenbücher has covered a

large field, geographically, having discussed the modifications which have developed in the relation of *Staat* and *Kirche* in all the countries of Europe in the nineteenth century.

The last essay in the *Jahrbuch* is furnished by Dr. Olivier Nagy von Eöttevény, professor of law at Kaschau. It is a study of the constitutional relation subsisting between Kroatia and Hungary. The somewhat complicated organization of the legislative and administrative authorities is clearly set forth, and the autonomy enjoyed by Kroatia in judicial matters is also pointed out. While Kroatia exercises a large amount of self-government, its autonomy is never insisted upon at the expense of the unity of the Hungarian empire. The sovereignty of the king is unitary, and the monarchical power is not divided between the Kroatian and Hungarian nations, as is the case with Hungary and Austria. There is a Hungarian king and an Austrian emperor, but there is not a special king of Hungary and a special king of Kroatia.

The remaining two hundred and thirty pages of the *Jahrbuch* are taken up with reports on the legislation of the various countries of importance. The subject of imperial legislation in Germany, during the year 1908, is handled by Professor Laband, while the German treaties are discussed by Franz Duchow, privatdozent in Heidelberg. Professor Anschütz presents the development of public law in Prussia while Professor Piloty reports on the reform of the Bavarian law touching the communes. This is followed by a sketch of the Bavarian administrative legislation in 1908. The remaining reports, of which time forbids more than a passing mention, deal with the proposals for a new constitution in Mecklenburg, and the transaction of the *Landtag* in 1908, by Brückner; recent American legislation, by Freund; a review of Belgian legislation for 1908, by Errera; the union of Denmark and Iceland according to the draft of the commission, by Morgenstierne; England under the liberal régime, 1906-1908, by Sussmann; the development of public law in Norway, since the dissolution of the Swedish-Norwegian union, by Morgenstierne; the financial administration of the Austrian provinces, by Mischler; Russian legislation in 1908, by Gribowsky; and the new reform work in Turkey, by Albrecht.

The volume closes with a list of the states represented at the second peace conference, which signed the conventions, the declarations and the final acts.

B. E. H.